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July 3, 2017

Via ECF

The Honorable Glenn T. Suddaby
Chief U.S. District Judge
United States District Court
Northern District Of New York
P.O. Box 7367
Syracuse, NY 13261-7367

Re: Parker v. Savage Fueling Corporation
Case No.: 1:17-cv-00397-GTS-CFH
Joint Correspondence regarding Defendant's Motion to Dismiss

Dear Judge Suddaby:

This letter is jointly submitted by the parties Plaintiffs John Parker and Jamie Bartlett ("Plaintiffs") and Defendant Savage Fueling Corporation ("Savage" or "Defendant") (collectively, the "Parties") in the above-referenced matter.

Following Defendant's filing of its Reply Memorandum of Law in Further Support of Defendant's Motion to Dismiss the Complaint, the Parties, through their counsel, met and conferred in good faith regarding the scope of Defendant's Motion.

As a result of that meet and confer, the Parties have agreed that Defendant's Motion to Dismiss will be narrowed to dismissal of Count II as to Plaintiff Parker only and not dismissal of any claims by other putative collective or class members who may have executed release agreements waiving their rights under the New York Labor Law ("NYLL").

The Parties further agreed that if other putative class members executed release agreements with Defendant, counsel for both Parties would further meet and confer and stipulate to a protocol for Plaintiffs' counsel reviewing the release agreements and thereafter, determining whether Plaintiffs' counsel would pursue claims under the NYLL on behalf of such employees in light of the Court's pending ruling on Defendant's Motion to Dismiss.

Accordingly, Defendant respectfully requests that this Court rule on its Motion to Dismiss Plaintiff Parker only as to Count II of the Complaint and Amended Complaint.

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July 3, 2017
Page Two

We thank the Court for its time and attention to this matter.

Respectfully submitted,

Shellist | Lazarz | Slobin LLP

Bob Debes / by permission

Bob Debes
On behalf of Plaintiffs Parker and Bartlett

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A handwritten signature in blue ink, appearing to read 'Katharine J. Liao', with a large circular flourish at the end.

Katharine J. Liao
On behalf of Defendant Savage Fueling Corporation